



THE GARDNER GROUP

January 9, 2001

Ms. Renata Hesse  
Trial Attorney  
Antitrust Division  
Department of Justice  
601 D Street NW, Suite 1200  
Washington, D.C. 20530

Dear Ms. Hesse:

*As a small businesswoman and a Microsoft investor, I was most pleased to learn that a proposed settlement is under consideration. I have been an advocate for an end to this litigation for a number of months, so I was pleased to hear that the end may be near and all concerned can expend their energies elsewhere.*

*I have absolutely no doubts that this suit has negatively impacted my investment in the Company. From the news reports I have read on this issue, the case seemed to be driven by some of Microsoft's competitors. The economy has been backsliding for months now, and the September 11 and subsequent events have weakened it further. We need to take every action possible to spur the economy, not the opposite. As President Bush has said, we all need to spend money and travel. When it comes to the technology sector, people will spend money on new and innovative products. Costly lawsuits take up a company's time and energy - time and energy that could be spent on more productive endeavors.*

*The proposed settlement should put concerns of competitors to rest. I understand that future versions of Windows will have a simple way for computer and software makers to promote non-Microsoft software within Windows. I don't know how much more fair you can get.*

*Thank you for the opportunity to bring my views to your attention.*

*Sincerely yours,*

  
Kay Gardner

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